



National Organization for Women – Massachusetts

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October 22, 2010

Attorney General Martha Coakley
Office of the Attorney General
One Ashburton Place
Boston, MA 02108-1518

Dear Madam Attorney General:

The Massachusetts Chapter of the National Organization for Women (Mass. NOW) writes today with regards to the October 19 Hearing on Sexual Exploitation Online. We strongly support the introduction of legislation condemning sexual exploitation online, and propose that such legislation address not only the online exploitation of children, but also the pervasive online exploitation of women.

It is clear that Massachusetts needs substantive legislation in this area, given that it is one of only five states that have not yet passed such legislation. The safe harbor legislation that has been passed in states such as Connecticut, Illinois, and New York—and which was applauded by some who gave testimony at the October 19 Hearing—is an important starting point. It guarantees that children will not be punished for their own abuse. This is a necessary step in ensuring that minors are treated as victims of the sex industry, rather than as offenders committing actions to which they cannot legally consent.

However, we believe that legislation regarding sexual exploitation online should be more comprehensive, given the insidious and widespread nature of the crime. Women and girls are the primary victims of sexual exploitation online, and legislation that provides protection for children and yet ignores the same crime as it is perpetrated against women is inadequate.

Women and girls who are coerced into the sex industry, kept from leaving against their will by both the threat and reality of violence, and then exploited online for someone else's financial gain are not criminals—they are victims of an ever-expanding sex industry that must be stopped. This legislation, if comprehensive enough, has the opportunity of being a significant step toward this goal. Though the average age of entry into the commercial sex industry is 12 to 15 years of age, legislation that focuses solely on the exploitation of girls ignores the reality that those girls soon become women. Legislation that would treat the 17-year-old girl coerced into performing sex for someone else's gain as a victim of sexual exploitation online and yet condemn her as a criminal the day she turns 18 is incomplete at best and irrational at worst.

Further, a large percentage of girls and women who have been subject to sexual exploitation and the ongoing violence and rape that occurs with it meet the diagnostic criteria for Post-Traumatic Stress Disorder (PTSD). Therefore, their recovery requires support services and a supportive environment—ending their protection from sexual exploitation online at a certain age does not advance this goal.

Lastly, legislation protecting minors from sexual exploitation online but leaving those 18 and older subject to forced sexual labor and online exploitation would be difficult to implement. The Internet poses unique challenges in tackling sexual exploitation because of the anonymity and speed that characterize online transactions. Requiring law enforcement to discern the age of a sexually exploited victim online is neither feasible nor useful, since no one, at any age, should be forced or coerced into prostitution, stripping, or pornography.

Given these considerations, we urge the Attorney General's Office to support legislation condemning the nonconsensual, sexual exploitation online of all human beings.

Thank you.

Sincerely,

Christina M. Knowles
State Director and Lobbyist
Mass. NOW